

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

FRANCIS C. MURILLO,

Defendant.

8:23CR62

ORDER

This matter comes before the court on Defendant Francis C. Murillo's Motion to Modify Conditions of Release pursuant to 18 U.S.C. §2142 (Filing No. 187). The motion is denied as it does not, on its face, set forth any modifications as it relates to the relevant statutory factors set forth in 18 U.S.C. §3142(g). It also does not contain any reference to the government's position concerning the request to modify or the position of pretrial services. The court can only surmise that the basis of the request is Defendant's continued pretrial detention, but "the length of pretrial detention and the ability to meet with counsel in person are not statutory factors to consider when determining whether there are conditions of release that can assure the defendant's appearance and the safety of the community." *United States v. Robertson*, 852 Fed.Appx. 331, 337-38 (10th Cir. 2021).

For these reasons, it is ORDERED that Defendant's Motion to Modify Conditions of Release [187] is denied.

Dated this 2nd day of May, 2024.

BY THE COURT:

s/ Ryan C. Carson
United States Magistrate Judge